

# Trends in the Gig Economy

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March 22, 2024

# Agenda

- **Introduction to the Gig Team**
  - **The Gig Economy, Our Team, and Our Database**
- **Trends from the Database**
  - **Long-term trends**
  - **Medium-term trends**
  - **Short-term trends**
- **What's Next?**

# What: The Platform or Gig Economy

There is no single, agreed definition of the gig economy. WageIndicator uses as a working definition: “the exchange of labour for money between individuals or companies via digital platforms that facilitate matching between providers and customers, on a short-term and payment-by-task basis.”

## What does our team do?

We're all independent researchers in the Gig team; everyone plays a part in the data collection, cleaning and verification process to make our global database an ever-growing collection of data relating to, and supporting, gig workers around the globe by updating information about the latest issues, news events and regulations as they happen in 22 countries.

# Functioning of the Team

- **COLLECT:**  
Process of data collection
- **ORGANIZE**  
Types of data collected under different heads
- **PUBLISH & SHOW**



# Functioning of the Team

## Role of Interns:

1. Collect information on the platform economy of a country: companies, workers, court cases, regulations, good practices .
2. Organise the collected information in the database after proofreading.
3. Create reports, newsletters, visuals, maps, and graphs based on the data collected to be added to Gigpedia.com.

## Things of Note:

1. Exploratory Research
2. Dearth of data on the size of the gig economy
3. Workers are hard to reach

# Our Database

ID	Country	Are there other remarkable good practices that aim to improve gig workers' conditions and offer them benefits, security, or empowerment?	How can you classify it? (1) Projects by existing platforms (2) Benefits providers (3) Community & empowering initiatives (4) Funds	Name	Type of Innovation	Advantages for workers	Source
1	Australia	Yes	(1) Project by existing platforms	Agreement Uber - Transport Workers' Union	Agreement on proposed employment standards and benefits ahead of expected new gig economy regulation. The union and Uber have also agreed to jointly support the creation of a new independent government-funded regulatory body to create industry-wide standards for ride share and food delivery gig workers following months of negotiations.	The body will be responsible for creating minimum and transparent enforceable earnings, benefits and conditions for people who work on the ride-hailing platform. The body will also act as a means for resolving disputes over platform employment issues, such as when a worker's account is deactivated.	<a href="https://www.theguardian.com">https://www.theguardian.com</a>
2	Australia	Yes	(2) Benefits providers	UpCover	A flexible, easy to use and simple insurance that covers riders for all their delivery work	Upcover's insurance is easy to turn on (by answering a few simple questions); it costs \$0.95 a day for one to three different products (ex. riders can protect their bike or bicycle, in case they injure other people or damage other property, and protect themselves in case they're injured); it's paperless (all policies are available at the click of a button).	<a href="https://www.upcover.com">https://www.upcover.com</a>
3	Bangladesh	Yes	(2) Benefits providers	SBK Foundation with AGAM international	A program to allow gig workers to easy access to loans. Loans are provided by the SBK Foundation based on AGAM International's AI credit-scoring system.	Workers working with Foodpanda and Shajgoj will find it much easier to access loans, even if they do not have a credit score. This will allow them to make initial investments and start working immediately.	<a href="https://www.finextra.com/">https://www.finextra.com/</a> <a href="https://www.facebook.com">https://www.facebook.com</a>
4	Bangladesh	Yes	(1) Project by existing platforms	Foodpanda	The Home Chef program: 3000+ homechefs currently active on the platform, of which 70% are women.	Fostering the growth of women entrepreneurs. 22 Home chefs from foodpanda participated in the ICT Ministry's "Smart Women Entrepreneurs Grant Giving Ceremony 2022" and received grants of Tk 50,000 each.	<a href="https://www.thedailystar.com">https://www.thedailystar.com</a>
5	Canada	Yes	(1) Project by existing platforms	DoorDash	DoorDash Canada and WoodGreen Community Services announced the launch of a financial empowerment program to provide free financial literacy resources to Dashers across Canada.	The program will consist of a series of in-person and remote financial education workshops, as well as the creation of a pre-recorded webinar available on-demand.	<a href="https://www.newswire.ca/">https://www.newswire.ca/</a>
6	Ghana	Yes	(1) Project by existing platforms	Glovo - The Couriers Pledge	New social rights standards and benefits available to couriers in Ghana through The Couriers Pledge.	The Pledge will be fully implemented by the end of 2023. includes road safety initiatives, e-learning free platform access with hundreds of courses, increased insurance coverage and fair earnings amongst other benefits.	<a href="https://www.mvjoonline.com">https://www.mvjoonline.com</a>

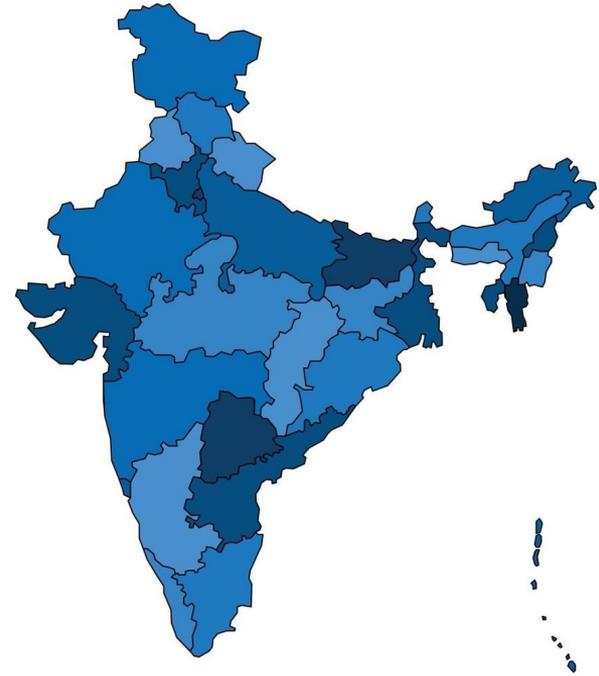
A light gray outline of a world map is centered in the background. A dark blue triangle is in the top-left corner, and an orange triangle is in the bottom-right corner.

# TRENDS FROM THE DATABASE

# Short-Term Trends

**Uber and Ola auto and cab drivers suspended services from 5th March 2024 - 14th March 2024 in protest against the companies' non-cooperation to increase travel fares.**

**Pune-based Indian Gig Workers Front (IGF) has announced its plans to nominate four candidates – a cab driver, an auto driver, a food delivery worker, and a working woman – for the upcoming Lok Sabha elections to bring attention to the issues faced by gig workers in India.**



# Medium-Term Trends

## 1. Low pay and high costs:

- In Brazil, the delivery drivers received 10.99 dollars per hour of work in 2023 as compared to the 22.9 dollars per hour of work in 2013.
- In Belgium, the scarce pay forces the delivery drivers to work for 60 to 80 hours a week which leads to fatigue and subsequent road accidents.
- In Nigeria, the cab service drivers (Bolt) are increasingly going offline to negotiate rides with customers jeopardising their safety. This is because their demand for an increased fare from the platform hasn't come through.

## 2. Dangerous workplace:

- In **South Africa**, criminals are using e-hailing apps to target drivers and rob them of their vehicles.
- In **Australia**, more than 900 bicycle and motorbike delivery workers have suffered injuries in Victoria itself. Problem of underreporting to gig workers' injuries continues to be a challenge.
- In **South Africa**, female ride hailing drivers describe their daily work as dangerous and risky as they face a threat to safety from male customers.

### 3. Unfair Platform Practices:

- In Nigeria, workers accused Bolt and Uber of attempting to undermine the Amalgamated Union of App-based Transport Workers to organize and defend workers' rights.
- In Kenya, Bolt drivers are complaining about the platform's practice of locking their accounts for weeks.
- In Italy, Uber Eats riders gathered in front of the platform headquarters in Milan to protest against their sudden dismissals.
- In Germany, courier drivers and trade unionists demand for the right to strike.

#### 4. Lack of Protection:

- In Germany, The CGT Transports union is concerned about the social plan of the Just Eat platform, which aimed to 'replace its fleet of salaried couriers with self-employed couriers from the subcontractor Stuart.' This could put the workers at the risk of losing out retirement benefits.

## 5. Technical Issues/ App Malfunction:

- In Argentina, the workers complained against technical problems of the application, such as bugs and blockages, negatively affect the worker, even leading to unfair debts and work suspensions for no reason.
- In South Africa, Uber Eats drivers protested against being locked out of the app for late deliveries caused by connectivity problems.

# Long-Term Trends

In this section, we observe how the courts of different countries have ruled about the status of employment of gig workers over the past 7 years (2017 onwards).

Different countries have different laws, but the global situation is quite similar. First, let's look at the rulings of 22 countries with a 'then and now' comparison.

Countries	Earlier Stance	Latest Stance
Argentina	Green	Yellow
Australia	Green	Yellow
Belgium	Red	Green
Brazil	Green	Blue
Canada	Yellow	Yellow
Denmark	Yellow	Yellow
Finland	Yellow	Red
France	Green	Blue
Germany	Green	Yellow
India	Green	Yellow
Italy	Red	Green
Kenya	Yellow	Yellow
Mexico	Yellow	Yellow
Netherlands	Blue	Green
New Zealand	Red	Green
Nigeria	Red	Green
Philippines	Yellow	Green
Portugal	Yellow	Blue
South Africa	Green	Red
Spain	Green	Green
United Kingdom	Green	Red
United States	Green	Red

At a glance, we see some countries have had a favourable progression for workers whereas others have had either no data, complicated rulings or negative rulings.

**Key:**

- Ruled in favour of workers
- Ruled against workers
- No rulings
- Mixed rulings

## Regulatory Environment:

It's interesting to note how the courts **have not been able to come to an unequivocal stance on the employment status of Gig workers** concerning several platforms: Uber, Rappi, Cabify, and Ifood.

In the **latest proposed bill in March 2024**, Brazil's President Luiz Inácio Lula da Silva aims to create a **package of rights for drivers operating through ride-hailing apps**, including minimum pay and the ability to claim benefits. Despite these, **there will be no employment relationship between drivers and the apps.**

# BRAZIL

2022

## Ruled in Favour of Workers

Ruled in favour of workers. The relationship between Ixia Gerenciamento de Negócio Ltda and its crowd workers is an employment relation.

2023

## Ruled in Favour of Workers

In September 2023, the Labor Court of São Paulo ruled in favour of workers by recognising the employer-employee relationship between Uber and its riders.

2023

## Ruled Against Workers

In November 2023, Federal Supreme Court (STF) minister Cristiano Zanin annulled the Superior Labor Court (TST) October decision that recognized the employment relationship of a Rappi rider. In December 2023, the Federal Supreme Court (STF) overturned another ruling establishing a driver's employment relationship with the Cabify platform.

2024

## Ruled in Favour of Workers

In January 2024, The 13th Labour Court of Fortaleza recognised the employment relationship between a rider and the company Ifood. In February 2024, an in-progress case has had it's first ruling by the Federal Supreme Court on the possibility of standardising the relationship between platforms and workers and is in favour of such a practice.

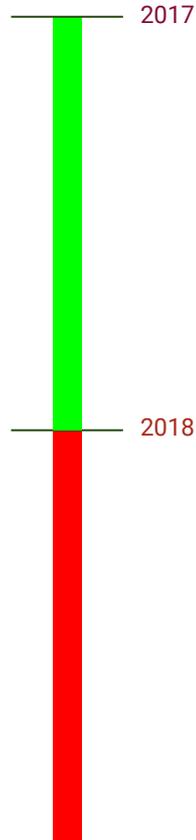
# SOUTH AFRICA

## Ruled in Favour of Workers

Ruled in favour of workers that Uber drivers are the company's employees, in line with the Labour Relations Act 66 of 1995 as amended. It means that any person who falls in that category is an employee and therefore fully covered in terms of labour legislation.

## Ruled Against Workers

Ruled against workers by overturning the previous ruling that Uber SA drivers are not employees of Uber SA. The ruling also differentiated between legal entities Uber SA and Uber BV (in the Netherlands), and as the former cannot negotiate with drivers, no contractual relationship exists between the drivers and Uber SA.



## Regulatory Environment:

In South Africa, platform workers are **excluded from key social protections** including unemployment insurance, holiday pay, sick leave, and the ability to seek legal redress for, for example, unfair termination via account deactivation. Jobs in the gig economy are **explicitly seen as a tool to facilitate the supply of services between a client and a supplier**, as seen in the latest ruling. This issue is further exacerbated by the lack of basic labour rights for gig workers, leading to **deteriorating safety conditions for South African gig workers** due to economic downturn and high crime rates, as reported by the Oxford University's Fairwork Project.

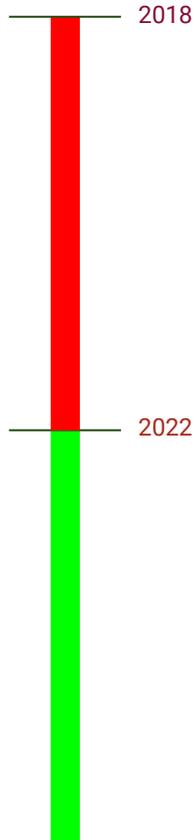
# NIGERIA

## Ruled Against Workers

Ruled against workers in their claim to be employees of Uber. However, the court did recognize that forms of work had changed, and the traditional distinctions between the worker/employee and the employer no longer existed or had been stretched to absurd limits.

## Ruled in Favour of Workers

Ruled in favour of workers by ordering Uber to pay damages to its “ex-employee” and also affirmed the principle of co-employer liability in employment relations where an employee is employed by one entity for the benefit of another entity, a co-employer status or triangular employment is said to be in existence.



## Comparison to South Africa:

It is of utmost importance to notice how it is that **courts have come to recognise complex employer-employee relationships**, especially in light of how Nigeria views **gig workers as independent contractors** and does not even have legislation that specifically defines who an independent contractor is, let alone gig workers being granted special benefits.

This is a similar regulatory environment to that of South Africa, but the rulings of the courts of Nigeria could not be more different. However, it is also important to recognise that the latest rulings in each country differs by a period of 4 years.

# THE UNITED STATES OF AMERICA

## November, 2020 - Proposition 22

This law allows app-based transportation and delivery companies to classify their drivers as independent contractors instead of employees, granting them an exception to Assembly Bill 5.

2018

### Ruled in Favour of Workers

The California Supreme Court set strict criteria for classifying workers as independent contractors, including independence from company control and performing work outside the company's core operations.

2020

### Ruled in Favour of Workers

There were two rulings, both stating that Uber and Lyft must classify their drivers as employees with benefits rather than independent contractors.

2021

### Ruled in Favour of Workers

A California state judge struck down Proposition 22 according to which drivers for the companies were independent contractors. The judge found its provisions tying the legislature's hands regarding which workers are covered by worker's compensation law and regarding collective bargaining in future gig work violate the state's constitution.

2023

### Ruled Against Workers

A California appeals court reversed a lower-court ruling that found Proposition 22 illegal.

**Currently in progress:** The California Supreme Court has agreed to review the constitutionality of Proposition 22, a state law backed by Uber and Lyft that allows them to classify drivers as independent contractors. The California Supreme Court will now make the final determination on the law's validity.

# What's Next?

## CHALLENGES AND AREAS OF GROWTH:

- **Organisation and categorisation of data**
- **Difficulty in communicating with the gig workers**
- **Contextualisation of data**

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**THANK  
YOU!**